

Hyattsville, MD
District Court Trial Session
September 16, 2022

This morning I went to the District Court in Hyattsville instead of the one in Upper Marlboro, because a friend of mine, Mr. U, had a case there. I'm going to write about his case and compare it to another one I heard today where the loved one had no community support. Sometimes, we can hear the dysfunction of a system writ large in the case of a single individual. The two cases below, I believe, illustrate this.

I'll give a little background to Mr. U's life and his experience with the carceral state. Mr. U lives, unhoused, in my neighborhood, Brentwood, MD. He is 61, and well-known here. In his late teens and early twenties, he played piano in a local band led by a friend of his. Then he developed schizophrenia. As long as Mr. U's parents lived, he did fairly well. Mr. U is now unhoused.

In 2017, Charles Moody, 3450, an undercover PG County officer, gave Mr. U \$10 and asked him to buy some drugs for him. Mr. U did what he was told and then Moody arrested him. For that, Mr. U was imprisoned and subsequently indicted. His ordeal dragged on until March, 2020, during which time he was incarcerated two times for a total of three months. Then the state of Maryland dismissed all charges.

Mr. U's mental health was not improved by this experience. It appears that the police tried, unsuccessfully, to coerce him into informing on those who sold the drugs: "hence the indictment," one public defender suggested to me. I talked to several lawyers about filing a suit on Mr. U's behalf but they told me that, a) this is "perfectly legal" and, 2) the statute of limitations had run out by the time the charges were dropped. "*Perfectly legal and totally outrageous*" is the motto that I suggest for our court system in lieu of its untruthful motto of providing "fair, efficient, and effective justice for all."

Last month, Mr. U was summoned to appear in court today after local store managers filed complaints about him being disorderly. We began talking to Mr. U about needing to be in court today, something he could not have managed on his own. I got an application for a PD, but Mr. U would not sign it. So we went to court this morning with no representation, but we were able to talk to PD Charles Moore before the hearing. Moore spoke to Mr. U and then said he could represent him today before Judge Erik Nyce. That went well, and Mr. U's trial date is November 29. After meeting Moore, Mr. U agreed to sign the PD application which, fortunately, I had with

me. While sitting in the courtroom, Mr. U whispered to me, "It's good to have neighborhood support." He also said, "I take it one day at a time. It's hard when you miss your mother and your daddy." Mr. U is a gentle and kind person at heart.

Without community support, Mr. U's case would likely have gone more like that of Mr. V, whose name was called shortly before Mr. U's today. Mr. V is 58 years old and his address is listed as "Homeless," and city "Unknown." The charge today stems from an incident in 2016, when he was charged with failure to obey, resisting arrest, and concealing a "dangerous weapon." Since then, it appears that he has failed to appear in court on this charge at least 4 times, and has been incarcerated several times for that. He was last released on an unsecured bond of \$5000 in August. Today, once again, he failed to appear and Judge Jean Baron issued another bench warrant for him.

The Prince George's County police and court systems have enormous resources, but they do not use them to help people who are living with mental health issues. Rather, it seems that those resources have been used to worsen mental health and increase harm in our communities. This makes no sense. We need to defund programs and policies that don't help us and fund ones that do.

Postscript: The Mt. Rainier officer who wrote up the charges against Mr. U, Shawn Harden, was also in court today and spoke to me. He said that none of the store managers who filed charges wanted to prosecute -- they just want Mr. U to stay out of their stores. He also said that he and the other officers look out for Mr. U and would like to see if this case could go to MHC. They were afraid that Mr. U wouldn't show up and they didn't want to have to serve a bench warrant, so he and some other officers went out looking for Mr. U this morning to see if they could bring him to court. They couldn't find him, so, he told me, "I was really glad when I saw you back there with him."